

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE LUIS RUIZ,

No. CV11-1906 EMC

Plaintiff,

ORDER TO SHOW CAUSE

v.

WACHOVIA, et al.,

Defendants.


On April 20, 2011, Plaintiff filed a Complaint against Defendants Wachovia and Golden West Savings. Plaintiff did not serve any of the defendants with the summons and complaint as required by Federal Rule of Civil Procedure 4 and therefore none have appeared in the case. A Clerk's Notice scheduling a Case Management Conference for November 28, 2011 at 4:00 p.m. was mailed to Plaintiff at his last known address on November 3, 2011. In the Clerk's Notice, the Court instructed Plaintiff to serve such notice upon defendants. The mailing has not be returned. Plaintiff failed to appear at the initial Case Management Conference, which was held on November 28, 2011.

Accordingly, Plaintiff is hereby ordered to show cause in writing why this case should not be dismissed for failure to prosecute and to comply with this Court's order. His show cause response must be filed in this Court no later than **December 23, 2011**. Plaintiff is further directed to appear for a show cause hearing on **January 6, 2012, at 1:30 p.m.** in Courtroom 5, 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. Failure to file a response or to appear at the hearing will result in dismissal of the action. Plaintiff may wish to consult the Court's "Handbook for Litigants Without a Lawyer,"

1 available from the Clerk's Office or on the Court's website at
2 <http://www.cand.uscourts.gov/prosehandbk>.

3
4 IT IS SO ORDERED.

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6 Dated: December 5, 2011

A rectangular box containing a handwritten signature in black ink. The signature appears to be 'Edward M. Chen' written in a cursive, stylized script.

EDWARD M. CHEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JOSE LUIS RUIZ,

Plaintiff,

v.

WACHOVIA et al,

Defendant.

Case Number: CV11-01906 EMC

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 5, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jose Luis Ruiz
2119 - 34th Avenue
Oakland, CA 94601



Dated: December 5, 2011

Richard W. Wieking, Clerk
By: Betty Lee, Deputy Clerk